

# **EXHIBIT 52**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,  
MASSACHUSETTS,  
WASHINGTON, COLORADO,  
CONNECTICUT, DELAWARE,  
DISTRICT OF COLUMBIA,  
HAWAII, ILLINOIS, IOWA, NEW  
MEXICO, NORTH CAROLINA,  
OREGON, PENNSYLVANIA,  
RHODE ISLAND, VERMONT, and  
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as President of the United States; U.S. DEPARTMENT OF HOMELAND SECURITY; ELAINE C. DUKE, in her official capacity; U.S. CITIZENSHIP AND IMMIGRATION SERVICES; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; and the UNITED STATES OF AMERICA,

CIVIL ACTION NO. 1:17-cv-05228  
(NGG) (JO)

Defendants.

Pursuant to 28 U.S.C. § 1746(2), I, Bitta Mostofi, hereby declare as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.
2. I am the Acting Commissioner for the City of New York's Mayor's Office of Immigrant Affairs. I have been employed by the Mayor's Office of Immigrant Affairs since 2014. In my capacity as the Acting Commissioner, I provide advice and guidance to the Mayor's Office of Immigrant Affairs and staff in other divisions of the Mayor's Office and other City agencies on a range of issues related to immigration.
3. The Mayor's Office of Immigrant Affairs, established in the Charter of the City of New York in 2001 by referendum, develops and implements policies designed to assist immigrants across the city.<sup>1</sup>
4. The City of New York has long welcomed immigrants. In 2003, the Mayor issued two executive orders, which remain in effect today and have been reaffirmed by the present Mayor, to protect the confidentiality of immigrants' information and encourage their ability to access City services.<sup>2</sup>
5. Nearly forty percent of the City's population is foreign-born.
6. Since the creation of the federal Deferred Action for Childhood Arrivals (DACA) program, in 2012, the Mayor's Office of Immigrant Affairs has led the City's efforts to assist DACA-eligible immigrants to learn about and apply for the program and to take advantage of the opportunities that receiving DACA provides.
7. The Mayor's Office of Immigrant Affairs estimates that more than 30,000 New York City residents have received DACA, and up to 50,000 more may still be eligible.

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<sup>1</sup> NYC Charter § 18.

<sup>2</sup> NYC Executive Orders 34 and 41 of 2003.

8. Among the 30,000-plus New York City DACA recipients, the Mayor's Office of Immigrant Affairs is aware that some are currently employed with City agencies as well as City-based public benefit corporations such as the Health and Hospitals Corporation. The City does not track employees by their particular status, and therefore does not have a firm count of the number of City employees who are DACA recipients, but the Mayor's Office of Immigrant Affairs has worked with a number of agencies that employ DACA recipients.

9. Over the course of the past five years and several months since the creation of DACA, the Mayor's Office of Immigrant Affairs has devoted significant resources and staff time to raise awareness about the DACA program and help constituents learn more about the process and connect to legal service providers and others to assist them.

10. The Mayor's Office of Immigrant Affairs and other City agencies have conducted large-scale public education to inform immigrant residents about the opportunities presented by DACA, including protection from removal, employment authorization, access to a Social Security number, and the ability to travel abroad with Advance Parole from federal immigration authorities.

11. In addition, the Mayor's Office of Immigrant Affairs has provided public education about additional opportunities available under New York State law and policies, including eligibility for a driver license or other state-issued identification from the New York State Department of Motor Vehicles, eligibility for Medicaid public health insurance (depending on income), and eligibility for certain professional licenses through the New York State Education Department's Office of the Professions.

12. In 2014, the Mayor's Office of Immigrant Affairs led a citywide outreach and public education campaign to provide information to immigrant New York City residents about DACA and to provide assistance to DACA recipients whose renewal applications were coming due.

13. In 2016, the Mayor's Office of Immigrant Affairs, with philanthropic support from the New York State Health Foundation, launched a citywide outreach and public education campaign to provide information to DACA recipients and potential DACA applicants about the eligibility for public health insurance conferred by DACA.

14. The Mayor's Office of Immigrant Affairs has conducted research on the effect of the rescission of the DACA program, in a number of areas.

15. The rescission of the DACA program will have a significant deleterious effect on not only those immigrants who have enrolled in the program, but also on the City itself.

16. As a result of the rescission of the DACA program, the Mayor's Office of Immigrant Affairs' research projects that New York City DACA recipients will lose approximately \$545 million per year in marginal wages, resulting in an estimated loss to the City of about \$19 million per year in local income tax revenue.<sup>3</sup>

17. In addition, as a result of the rescission of the DACA program, the Mayor's Office of Immigrant Affairs' research indicates that many families will suffer economically as a result of their DACA recipient family member's loss of work authorization.

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<sup>3</sup> These estimates were arrived at based on estimates of the number of DACA recipients in New York City, data reported in a national survey conducted in August 2017 (described at Tom K Wong et al., *DACA Recipients' Economic and Educational Gains Continue to Grow*, CENTER FOR AMERICAN PROGRESS, August 28, 2017, available at [www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-economic-educational-gains-continue-grow](http://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-economic-educational-gains-continue-grow)), and analysis of the New York State and New York City tax codes.

18. Based on personal knowledge, the rescission of the DACA program will hinder the ability of the Mayor's Office of Immigrant Affairs and other City agencies to support the population of New York City immigrants who have received DACA, as well as their family members, employers, educational institutions, health care facilities, and more.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 6th day of September, 2017

/s/ Bitta Mostofi

Bitta Mostofi  
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